

## REMARKS

Claims 1, 10, 25, 38, 55, and 60 have been amended. Applicants respectfully submit that the amendments add no new matter and are fully supported by the application as originally filed. The headings below are numbered to correspond with the heading numbering used by the examiner in the Office Action.

1.) Information disclosure statement filed 30 January 2004 is in compliance with CFR 1.98 (a)(2).

At page 2 of the Office action under the heading "*Information Disclosure Statement*" the Examiner states:

Information disclosure statement filed 30 January 2004 fails to comply with **37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document**; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. **It has been place in the application file, but the information referred to therein has not been considered.**

The documents that were unavailable to the Examiner have a line drawn through them on the Information disclosure statement of 30 January 2004.

In compliance with the requirement of 37 CFR 1.98(a)(2), enclosed herewith are legible copies of each of the foreign patent documents cited on the Information disclosure statement of 30 January 2004. Applicants respectfully request that the Examiner place the enclosed foreign patent documents in the application file and consider the information contained in the documents.

2.) The declaration is in compliance with 37 CFR 167(a).

At page 2 of the Office action under the heading "*Oath/Declaration*" the Examiner objected to the oath or declaration and states:

The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying the application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

It does not identify the mailing address of each inventor. ...

It does not identify the citizenship of each inventor. ...

It does not identify the city and either state or foreign country of residence of each inventor.

In compliance with the requirements of 37 CFR 1.67(a), Applicants herewith submit a true and correct copy of the declaration executed for filing with the application, with the filing date and application number subsequently inserted therein. When submitting the application, the signature page of the declaration was erroneously not included. Applicants regret any inconvenience this error may have caused the Examiner. Applicants respectfully request placement of the submitted declaration in the application file and reconsideration and withdrawal of this objection.

3. Claim 60 has sufficient antecedent basis

At page 2 of the Office action under the heading "*Claim Objections*" the Examiner objected to Claim 60 and states:

Claim 60 is objected to because of the following informalities:

**Claim 60 recites the limitation "the boot"** in Line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 60 has been amended to depend from Claim 59. Support for the amendment of Claim 60 appears in the specification at least at Page 4, Lines 10-17, Page 7, Lines 6-12, Page 8, Lines 27-32 and in FIGS. 5A-5F

Claim 59 recites, in part:

The cleaning device according to claim 58, further including:  
**an elastic boot** composed of a substantially liquid impervious material ...  
(Emphasis added)

Amended Claim 60 depends from Claim 59. Accordingly, sufficient antecedent basis for the feature of "the boot" recited in amended Claim 60 appears in Claim 59. Accordingly, Applicants respectfully request reconsideration and withdrawal of the objection to Claim 60 by the Examiner.

4. Claims 1-67 satisfy 35 U.S.C. 112, second paragraph.

At page 3 of the Office action under the heading "*Claim Objections*" the Examiner objected to Claim 60 and states:

Claims 1-67 are rejected under 35 U.S.C., second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 Line 3, it is unclear as to what is meant by “relatively.”

Claim 10 Lines 4 and 7, it is unclear as to what is meant by “relatively.”

Claim 38 Line 2, it is unclear as to what is meant by “relatively.”

Claim 25 Line 4, it is unclear as to what is meant by “relatively.”

Claim 55 Line 4, it is unclear as to what is meant by “relatively.”

Independent claims 1, 10, 25, 38, and 55 have been amended. Each cited occurrence of the term “relatively” has been deleted from all of the independent claims of the application. The lack of clarity cited by the Examiner is thereby eliminated for independent claims 1, 10, 25, 38, and 55. Claims 2-9 depend from claim 1, claims 11-24 depend from claim 10, claims 26-37 depend from claim 25, claims 39-54 depend from claim 38, and claims 56-67 depend from claim 55. Accordingly, applicants respectfully submit that claims 1-67 satisfy the requirements of 35 U.S.C. 112, second paragraph.

Applicants respectfully request reconsideration and withdrawal of this objection.

5. Claims 25-26 and 55-58 are novel over Knox et al.

At page 3 of the Office action under the heading “*Claims Rejections—35 USC§102*”, the Examiner states:

Claims 25-26 and 55-58 are rejected under 35 U.S.C. 102(b) as being anticipated by Knox et al., USPN 4,075,033.

**Knox discloses the claimed invention including** a cleaning head (12) including a support surface (33) defining an elliptical-shaped opening into a gripping cavity thereof (35; see Figure 4), the **gripping cavity** further being **defined by** a back wall (31) and a “**rigid**”, inwardly facing, side engaging surface ... (see inner surface of the device 12 in Figure 4), ...

(Emphasis Added)

The Examiner statement and rejection of Claims 25-26 and 55-58 are respectfully traversed. Knox et al. teaches:

The **cup-shaped web** may, furthermore, include **several layers** of material held together in some fashion. Each layer may have the same composition as the others. For example, for hygienic uses, **each layer may be formed from soft toilet paper.**

(Col. 2, Lines 27-32, emphasis added)

Knox et al. further teaches:

**The sponge on the appliance supporting the wiping material can provide a soft cushion** and result in less abrasion or irritation to the affected area. Moreover, **the cone of paper on this cushion** generally has a smoother surface than the currently employed wad of toilet paper taken from a roll. ... **The paper may even have a softer construction than the usual toilet paper** since it need not withstand the force of fingers pushing against it. (Col. 3, Lines 16-27, *emphasis added*)

Finally, with reference to FIG. 4 cited by the Examiner, Knox et al. teaches:

**The web 12 may have a single layer of material as shown in FIGS. 2, 3 and 4.** Alternatively, several layers adhered together may provide a superior product for various applications. For use in personal hygiene, **smooth, soft, and absorbent toilet paper will function satisfactorily** for these layers.

Thus, contrary to the assertion of the Examiner, **Knox et al. teaches away from a “rigid” inner surface of surface of device 12.** Knox et al. **actually teaches that a soft cone of toilet paper is satisfactory for use with the appliance 11.**

Accordingly, Applicants respectfully submit that the Examiner has failed to call out where Knox et al. discloses, teaches, or suggests:

A maneuvering tool adapted to removably secure a disposable, liquid soluble or liquid dispersible cleaning head thereto, said cleaning head including a support surface defining an elliptical-shaped opening into a gripping cavity thereof, said gripping cavity further being defined by a back wall and **a rigid, inwardly facing, side engaging surface** extending between the support surface and the back wall, ...

as recited in amended Claim 25, *emphasis added*.

Applicants further respectfully submit that the Examiner has failed to call out where Knox et al. discloses, teaches, or suggests a cleaning device comprising:

a disposable, cleaning head including a support surface defining an elliptical-shaped opening into a gripping cavity thereof, said gripping cavity further being defined by a back wall and **a rigid, inwardly facing, side engaging surface** extending between the support surface and the back wall; ...

as recited in amended claim 55, *emphasis added*.

Claim 26 depends from claim 25 and claims 56-58 depend from claim 55. Accordingly, Applicants respectfully submit that claims 26 and 56-58 are allowable for at least the same reasons as their respective base claims.

For the above reasons, Applicants respectfully request reconsideration and withdrawal of this rejection.

6. Claims 25, 29, and 55-57 are novel over Rodgers.

At page 4 of the Office action under the heading “*Claims Rejections–35 USC§102*”, the Examiner states:

Claims 25, 29, and 55-57 are rejected under 35 U.S.C. 102(b) as being anticipated by Rodgers, USPN 2,402,577.

Rodgers discloses the claimed invention including a cleaning head (10,11,12,13) including a support surface (side walls, see Figures) **defining an elliptical-shaped opening into a gripping cavity thereof (15, see Figures)**, the gripping cavity further being defined by a back wall (unlabeled, see tapering inner surface of “15” in Figure 4), **and a tool** comprising an elongated shaft (16) having a handle portion on end (uppermost outer portion, unlabeled), and an internal gripping mechanism (18) mounted to the elongated shaft (see Figure 1), **and including a collet device** having an expansive, circumferential, outward facing contact region sized and dimensioned **for sliding insertion through the elliptical-shaped opening** and into the gripping cavity (19; Column 3 Lines 45-48), *...(Emphasis added)*

The Examiner statement and rejection of Claims 25-26 and 55-58 are respectfully traversed. Applicants submit that the Examiner has failed to call out where Rodgers teaches “an **elliptical-shaped opening**” into a “gripping cavity” thereof **15**, as stated. In fact, Rodgers teaches:

“collet device” (head) 19 is “**bell-shaped**”, (Col. 3, Line 45; emphasis added)

and further that in at least one method:

**Female receptacle 15** may conveniently be built up on a basis of gauze impregnated with paraffin wax or with a suitable gum or the like. **A presently preferred method of forming the receptacle** involves superposing a **plurality of strips of impregnated gauze 20** in the criss-cross fashion shown in Fig. 5 ... . The associated **criss-cross strips** are **then pressed into a mold** and, ... are caused to conform to the inner

configuration of the mold which is of a character **to impart** the illustrated **essentially hollow spherical configuration** to the resultant molded **receptacle 15**. ... The **size of the receptacle is**, or course **adapted to** that of the **head 19**.

(Col. 3, Lines 58 to Col. 4, Line 1, emphasis added)

Applicants respectfully submit that a **spherical** “gripping cavity” (receptacle) **15** adapted to a **bell-shaped** “collet device” (head) **19** **does not form** an “**elliptical-shaped opening**”, as stated by the Examiner.

Further, Rodgers teaches:

... for the secure reception of shank 18 of the **bell-shaped head 19**. The **latter** is preferably slotted as shown in Figs. 1 and 2 **so as to be yieldingly associable** with the correspondingly configured **receptacle 15** **by a snap button effect**.

(Col. 3, Lines 44-48, emphasis added)

Applicants respectfully submit a **snap button** effect between the “collet device” and the “elliptical-shaped opening” is **inconsistent** with the “**sliding insertion**” asserted by the Examiner. Accordingly, Applicant respectfully submit that the Examiner has failed to call out where Rodgers discloses, teaches, or suggests:

A maneuvering tool adapted to removably secure a disposable, liquid soluble or liquid dispersible cleaning head thereto, said cleaning head including a support surface defining **an elliptical-shaped opening** into a gripping cavity thereof, said gripping cavity further being defined by a back wall and a rigid, inwardly facing, side engaging surface extending between the support surface and the back wall, said maneuvering tool comprising:

an elongated shaft having a handle portion on one end thereof; and  
an internal gripping mechanism mounted to the elongated shaft,  
and including a **collet device** having an expansive, circumferential, outward facing contact region sized and **dimensioned for sliding insertion through the elliptical-shaped opening** and into the gripping cavity when oriented in a release condition, said gripping mechanism selectively movable between the release condition and a gripping condition wherein the outward facing contact region is displaced radially outward from a longitudinal axis of the collet device and into gripping cooperation with the inwardly facing, side engaging surface to provide a substantially uniform engaging force therebetween for mounting of the cleaning head during operation,

as recited in amended claim 25, emphasis added. Accordingly, Applicants respectfully submit that claim 25 is allowable over Rodgers. Claim 29 depends from claim 25 and is,

accordingly, allowable for at least the same reasons as claim 25. In addition, Applicants respectfully submit that amended claim 55 is allowable for at least reasons similar to claim 25. Claims 56-58 depend from claim 55 and are, accordingly, allowable for at least the same reasons as claim 55.

For the above reasons, Applicants respectfully request reconsideration and withdrawal of this rejection.

### **ALLOWABLE SUBJECT MATTER**

#### **7. Claims 1-24 and 38-54 are Allowable**

At page 6 of the Office action under the heading "*Allowable Subject Matter*" the Examiner states:

Claim 1-24 and 38-54 would be allowable if rewritten or **amended to overcome the rejection(s) under 35 U.S.C. 112, 2<sup>nd</sup> paragraph**, set forth in the Office Action.  
(Emphasis Added)

Applicants note with appreciation the finding that claims 1-24 and 38-54 to be allowable if rewritten or amended as stated by the Examiner. As set forth above under section number 4, Applicants respectfully submit that claims 1-24 and 38-54 satisfy the requirement of 35 U.S.C. 112, 2<sup>nd</sup> paragraph. Accordingly, claims 1-24 and 38-54 are allowable.

#### **8. Claims 27-28, 30-37, and 59-67 are Allowable**

The Examiner further states:

Claims 27-28, 30-37, and 59-67 **would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2<sup>nd</sup> paragraph**, set forth in the Office Action **and to include all the limitations of the base claim and any intervening claims**.  
(Emphasis Added)

Applicants note with appreciation the finding that claims 27, 28, 30-37, and 59-67 to be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2<sup>nd</sup> paragraph. As set forth above under section number 4, Applicants respectfully submit that claims 27, 28, 30-37, and 59-67 satisfy the requirement of 35 U.S.C. 112, 2<sup>nd</sup> paragraph.

Applicants further note with appreciation the finding that claims 27, 28, 30-37, and 59-67 would be allowable if amended or rewritten to include all the limitations of the base claim and any intervening claims. However, as set forth above under section number 5, amended claim 25 is allowable. Claims 27,28 and 30–37 depend from claim 25. Accordingly, Applicants respectfully submit that claims 27, 28, and 30-37 are allowable, as currently present, for at least the same reasons as claim 25.

9. Examiner's statement regarding the prior art of record and the Kim publication is noted

The Examiner further states:

**None of the prior art of record includes a cleaning tool assembly comprising the combination of a disposable cleaning head, an elongated shaft having a handle portion, a gripping mechanism mounted to the elongated shaft, including a contact region moveable between a gripping condition and a release condition, and an elastic boot configured to extend substantially over the contact region of the gripping mechanism, so when the gripping mechanism is in the gripping condition, the contact region urges the elastic boot against the engaging surface of the cleaning implement to form a substantially liquid-tight seal therebetween to substantially delay solubility of dispersion of the engaging surface.**  
(Emphasis Added)

Applicants note the conclusion in the statement of the Examiner regarding the prior art of record.

Finally the Examiner states:

US 2004/0244130 to Kim, discloses a device with a disposable cleaning head that has a handle and gripping mechanism engaging an elliptical opening of the cleaning head. **Kim does not disclose an elastic boot** over a contact region of the gripping mechanism.

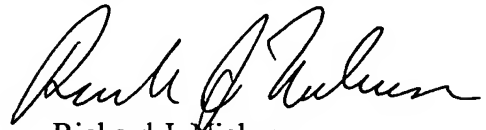
Applicants note the conclusion of the Examiner regarding the Kim publication cited, but not relied upon, in the Office Action. With reference to the rejections of the Examiner in the Office Action, Attorney for Applicants has reviewed the Kim publication and concludes and, accordingly, respectfully submits that the publication does not support the rejections set forth therein.



### **CONCLUSION**

Claims 1-67 are pending in the application. For the forgoing reasons, Applicants respectfully request allowance of all pending claims. If the Examiner has any questions relating to the above, the Examiner is requested to telephone the undersigned attorney for the Applicants.

Respectfully submitted

A handwritten signature in black ink, appearing to read "Richard J. Niehuser", written in a cursive style.

Richard J. Niehuser  
Attorney for Applicants  
Reg. No. 44,260  
925-425-6947